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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,324	11/07/2001	Trisha S. Kruse	10006795-1	3398

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EXAMINER

LABAZE, EDWYN

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/008,324	KRUSE ET AL.
	Examiner	Art Unit
	EDWYN LABAZE	2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 January 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 and 19-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 and 19-31 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of amendments filed on 1/29/2004.
2. Claims 1-17 and 19-31 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 8-17, 19-27, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBrouse (U.S. 5,920,053) in view of Sehr (U.S. 6,085,976).

Re claims 1, 11-13, 19, 22-23 [pre-amble limitation not brought to the body of the claims], and 31: DeBrouse discloses passenger identification and baggage control system, which includes at least one processor unit [airline computer 20] (col.4, lines 30+); at least one user input device [through the check-in counter 60 as shown in fig. # 1 of DeBrouse] communicatively coupled to the at least one processor unit, to receive traveler information input by a traveler/passenger 170 (col.5, lines 15+); a display device 50 communicatively coupled to the at least one processor unit 20 (col.4, lines 33+); and a printer 70 communicatively coupled to the at least one processor unit to print the contact information to a tag and to print at least the encoded portion of the traveler information on the tag in the machine-readable format, wherein the tag 80 is configured to be coupled to a user item (as shown in fig. # 5 of DeBrouse; col.4, lines 47+).

DeBrouse is silent with regards the software [although one skilled in the art would agree that inherently most check-in systems have an operating software or a program to enter and/or run information, such as boarding an airplane, buying ticket at the counter and the like, wherein passenger information is required for security and/or to verify passenger's information already entered and stored from other terminals] code executable by at least one input device, further fails to teach means of encrypting the traveler information, and a kiosk/vending machines.

Sehr discloses travel system and methods utilizing multi-application passenger cards, which includes software code executable by the at least one processor unit to receive as input the traveler information that includes contact information for the traveler and further executable to encode at least a portion of the traveler information into a machine-readable format (col.5, lines 49+), further discloses means of encrypting the traveler information (col.19, lines 12+), and a kiosk/vending machine (col.7, lines 25+). Sehr further discloses means of inputting information by the user (col.9, lines 2+).

In view of Sehr's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of DeBrouse a software executable by the at least one processor unit to receive as input the traveler information. Furthermore, such modification would provide a data entry means either at a check-in/airline ticket counter or at a kiosk/vending machine, wherein traveler's personal and contact information [such as name, address, phone numbers and the like] can be entered and stored. Moreover, such modification would have been an obvious extension as taught by DeBrouse, therefore an obvious expedient.

Re claims 2-4, 10, 14-16, 20, 24-27, and 30: The teachings of DeBrouse as modified by Sehr have been discussed above.

Although, DeBrouse as modified by Sehr teach an emergency contact number as part of the traveler's personal information (col.43, lines 10+), the teaching is silent with regards the contact information as being temporary, the time period for the temporary contact, and the contact to be encoded into the machine-readable format printed on the traveler's tag.

However, one skilled in the art would agree that an emergency contact [such as a phone number where the traveler could be reached, should there be an emergency and should also be considered as an option if available] is a means for the traveler to be reached by the airline's authority [if a case the traveler's luggage/baggage is lost/missing], a family member, or other authorities in any real emergency. Furthermore, the time period for the temporary contact could be related to how long the traveler would be at the place. Moreover, since the bar code is a means of encoding information, consequently it would be possible to include the temporary contact information [if available] into the encoded machine-readable format printed on the tag. Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to consider emergency contact information as a temporary contact for a traveler.

Re claims 8 and 17: DeBrouse as modified by Sehr teaches a system and method, wherein the traveler information further includes a travel itinerary for the traveler and wherein the itinerary is printed on the tag (see figs. # 5-7 of DeBrouse; col.6, lines 10-35).

Art Unit: 2876

Re claims 9 and 29: DeBrouse as modified by Sehr discloses a system and apparatus, wherein the machine-readable format is a bar code format 112, 122 (as shown in figs. 5-7 # of DeBrouse; col.4, lines 37+).

Re claim 21: DeBrouse as modified by Sehr teaches a system and method, wherein the step of outputting at least the encoded contact information to said tag is completed, the method includes attaching said tag to said traveler's baggage before said baggage is relinquished to baggage handling personnel (col.6, lines 20+).

5. Claims 5-7, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBrouse (U.S. 5,920,053) as modified by Sehr (U.S. 6,085,976) above in claim 1, and further in view of Klein (U.S. 6,259,367).

The teachings of DeBrouse as modified by Sehr have been discussed above.

DeBrouse as modified by Sehr fails to teach mobile contact information or a pager number.

Klein discloses lost and found system and method, which includes a user mobile contact [which can also be referred in the art as cellular phone, pager, a personal digital assistant, a laptop or other wireless communications (for electronic mailing and/or fax communications and the like)] information (see fig. # 11 of Klein; col.11, lines 1-27)

In view of Klein's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of DeBrouse as modified by Sehr a mobile contact information or a pager number so that the traveler could be reached at any location. Furthermore, such modification would enable instant contact and provide nationwide [worldwide depending upon the network carrier] communication in case of any

emergency. Moreover, such modification would have been an obvious extension of the teachings of DeBrouse as modified by Sehr.

Response to Arguments

6. Applicant's arguments with respect to claims 1-17, and 19-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miniaci et al. (U.S. 4,277,902) discloses baggage identification bag.

Klingen (U.S. 4,634,849) teaches uniquely numbered baggage split tag and system for handling baggage.

Samuel et al. (U.S. 4,631,845) discloses luggage tag.

Stephens (U.S. 6,497,063) teaches labeling system and method.

Quackenbush et al. (U.S. 6,512,964) discloses baggage transportation method.

Ka'ahumanu (U.S. 6,707,989) teaches method and apparatus for providing baggage identification tags.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2876

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



THIEN M. LE
PRIMARY EXAMINER

el
Edwyn Labaze
Patent Examiner
Art Unit 2876
March 31, 2004